

Appl. No. 10/590,589
Reply to Office Action of September 21, 2007

REMARKS/ARGUMENTS

Claim 1 is amended to specify the phosphors for converting blue light into yellow required for the invention specification (see page 6, line 18 through 7, line 5).

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US2003/0222268 to Yocom et al.

The present invention is for white light emission. Yocom mentions white light only in the background at [0003].

Furthermore, Yocom et al does not show or suggest a specific phosphor capable of converting blue light emitted from a blue LED into yellow origin light.

Yocom et al discloses:

- (1) a mixture of inorganic phosphors activated with Cu or Ag and co-activated with a halide or a trivalent ion (Claim 1);
- (2) a mixture of II-VI phosphors activated with Cu or Ag and co-activated with a halide or a trivalent ion (Claim 2);

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(3) inorganic phosphors selected from the group consisting of solid solutions of ZnS, ZnSe, ZnTe, CdS, CdSe, CdTe, metal silicates, metal aluminum garnet and alumina (Claim 4); and

(4) II-VI phosphors selected from the group consisting of solid solutions of ZnS, ZnSe, ZnTe, CdS, CdSe, CdTe, metal silicates, metal aluminum garnet and alumina (Claim 5).

However, none of the above-described phosphors falls within the scope of the specific phosphor of the present invention capable of converting blue light emitted from a blue LED into yellow origin light to produce white light. The present invention as claimed, in order to produce a white light emitting diode, requires one of the following phosphors to convert blue light emitted from a blue LED into yellow origin light.

1. $(Y, Gd, Ce)_3Al_5O_{12}$;
2. An oxide phosphor in which Zn, Ca, Mg, Sr, Sm or Ga is added into $(Y, Gd, Pr)Al_5O_{12}$ or $(Y, Gd, Ce)Al_5O_{12}$;
3. A phosphor in which CaS, Ga_2S_3 or EuS is mixed to be calcined; and
4. A phosphor in which divalent Eu is activated to α -SiALON.

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(page 6 line 18 - page 7 line 5 of the present application)

Therefore, the present claims are not anticipated by Yocom et al.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US7102152 to Chua et al.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US7102152 to Chua et al in view of JP2003327961 to Suzuki et al.

Chua is a reference only as defined under 35 USC 102(e). It therefore is effective only as of its October 14, 2004 filing date. The present application claims priority of JP 2004-061931 of March 5, 2004. Therefore, applicants wish to rely on their priority claim to remove Chua as a reference.

Enclosed is a translation of the priority application including a Statement of Accuracy. Support for the present claims is as follows: Independent Claims 2 and 1 of the priority document support Claims 1-5 of the present application.

Dependent Claims 4 and 3 of the priority document support Claims 6-10 of the present application.

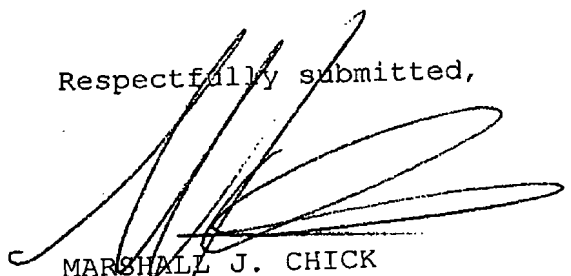
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The discussions at pages 5-6 and the Examples at pages 11 et seq. provide additional support.

In view of the above, the rejections are avoided. Allowance of the application is therefore respectfully requested.

Frishauf, Holtz, Goodman
& Chick, P.C.
220 Fifth Ave., 16th Floor
New York, NY 10001-7708
Tel. No.: (212) 319-4900
Fax No.: (212) 319-5101
MJC/sg

Respectfully submitted,



MARSHALL J. CHICK
Reg. No. 26,853

Enc. Translation of Priority Application